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Supp.

Sonoma county, water agency.

SUPPLEMENT TO AGREEMENT FOR WATER SUPPLY  
AND CONSTRUCTION OF RUSSIAN RIVER-COTATI  
INTERTIE PROJECT

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This Supplement to Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project was made on FEB 10, 1975, by and between the following public entities: SONOMA COUNTY WATER AGENCY, CITY OF COTATI, CITY OF PETALUMA, CITY OF ROHNERT PARK, CITY OF SANTA ROSA, CITY OF SONOMA, FORESTVILLE COUNTY WATER DISTRICT, NORTH MARIN COUNTY WATER DISTRICT and VALLEY OF THE MOON COUNTY WATER DISTRICT.

W I T N E S S E T H:

WHEREAS, the City of Cotati, City of Petaluma, City of Rohnert Park, City of Santa Rosa, City of Sonoma, Forestville County Water District, North Marin County Water District and Valley of the Moon County Water District (herein collectively called the "Water Contractors") and Sonoma County Water Agency (herein called the "Agency") on October 25, 1974 entered into a contract entitled "Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project;"

WHEREAS, on October 17, 1974 the State of California, State Water Resources Control Board, issued Order No. WR 74-30, which order among other things amends existing permits and provides for the issuance of new permits which permits taken together limit the right of the Agency to divert water from the Russian River to 92 cubic feet per second and to a total annual diversion of 37,544 acre-feet per water year;

WHEREAS, under said permits the Agency will not be able to deliver the full amounts of water contracted to be

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delivered by it pursuant to said contract during the term of said contract;

WHEREAS, the Agency is presently using its best efforts to obtain entitlements to divert additional water from the Russian River;

WHEREAS, the Agency's water distribution system is now being utilized to capacity, and the construction of said initial features of the Russian River-Cotati Intertie pursuant to section 2.2 of said contract will expand the capacity of the Agency's water distribution system and will enable the Agency to deliver additional water within the entitlements now held by it and will be of benefit to the Water Contractors even if the Agency is unable to obtain entitlements to divert additional water from the Russian River;

WHEREAS, the Agency and the Water Contractors desire to avoid any question as to the validity or enforceability of said contract resulting from the issuance of said Order No. WR 74-30 and to provide further assurance to prospective purchasers of the revenue bonds of the Agency to be issued to finance the construction of the Russian River-Cotati Intertie Project that the Water Contractors propose to pay for water pursuant to the terms and conditions of said contract;

NOW, THEREFORE, the parties hereto hereby mutually covenant and agree as follows:

1. The Agency and the Water Contractors hereby confirm and ratify the execution of said Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project, dated October 25, 1974, and each Water Contractor further confirms that said Water Contractor will make the payments required under said Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project not-

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withstanding any deficiency in the quantity of water to which such Water Contractor would be entitled under said contract resulting from the inability of the Agency to obtain entitlements to divert additional water from the Russian River.

2. The Agency agrees to continue to use its best efforts to obtain and maintain in good standing entitlements to divert additional water from the Russian River to enable it to satisfy its obligations under said Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project.

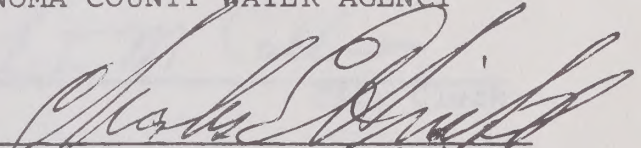
3. Said Agreement for Water Supply and Construction of Russian River-Cotati Intertie Project, dated October 25, 1974, shall continue in full force and effect in accordance with the terms and provisions thereof as hereby supplemented and amended.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates hereinafter set forth, said agreement to become effective on the date that all parties have executed this agreement.

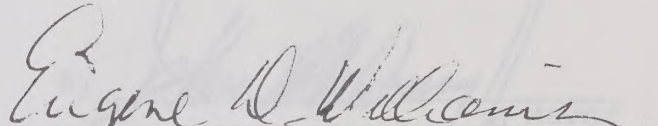
Dated: 2/7, 1975

SONOMA COUNTY WATER AGENCY

By

  
Chairman

Attest:

  
Clerk





Dated: 2/7, 1975

CITY OF COTATI

By Geoffrey Duke  
Mayor

Attest:

[Signature]  
City Clerk

Dated: 2/10, 1975

CITY OF PETALUMA

By Helen Putnam  
Mayor

Attest:

Margaret J. Wilson  
City Clerk

Dated: 2/3, 1975

CITY OF ROHNERT PARK

By Lou Beary  
Mayor

Attest:

Peter M. Callinan  
City Clerk

Dated: 2/4, 1975

CITY OF SANTA ROSA

By John H. Bunch  
Mayor

Attest:

Kenneth O. Blackburn  
City Clerk





Dated: January 27, 1975

CITY OF SONOMA

By Henry B. Boni  
Mayor

Attest:

Clara Berto  
City Clerk

Dated: February 4, 1975

FORESTVILLE COUNTY WATER  
DISTRICT

By Fred Pasquonelli  
President

Attest:

Uma E. Parker  
Secretary

Dated: February 4, 1975

NORTH MARIN COUNTY WATER  
DISTRICT

By George A. Amadori  
President

Attest:

Norma B. Morris  
Secretary

Dated: 2/18, 1975

VALLEY OF THE MOON COUNTY  
WATER DISTRICT

By Donald T. Greiner  
President

Attest:

Joanne Meroney  
Secretary



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CITY OF SONOMA

Dated: January 7, 1975

By [Signature]  
Mayor

Attest:

[Signature]  
City Clerk

FORESTVILLE COUNTY WATER DISTRICT

Dated: January 4, 1975

By [Signature]  
President

Attest:

[Signature]  
Secretary

NORTH MARIN COUNTY WATER DISTRICT

Dated: January 7, 1975

By [Signature]  
President

Attest:

[Signature]  
Secretary

VALLEY OF THE MOON COUNTY WATER DISTRICT

Dated: 2/18, 1975

By [Signature]  
President

Attest:

[Signature]  
Secretary